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California Regional Water Quality Control Board Los Angeles Region

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Djon Yoe
City of Los Angeles
250 E. First Street, Suite 700
Los Angeles, CA 90012

CONDITIONAL CERTIFICATION FOR PROPOSED WINNETKA AVENUE BRIDGE RESTORATION PROJECT (Corps' Project No. 2003-01621-KW), LOS ANGELES RIVER, CITY OF RESEDA, LOS ANGELES COUNTY (File No. 03-136)

Dear Mr. Yoe:

Regional Board staff has reviewed your request on behalf of the City of Los Angeles for a Clean Water Act Section 401 Water Quality Certification for the above-referenced project. Your application was deemed complete on September 8, 2003.

I hereby certify that any discharge from the Winnetka Avenue Bridge Restoration Project, as proposed and described in Attachment A, if performed in accordance with all applicable water quality objectives, prohibitions, and policies set forth in the *Water Quality Control Plan, Los Angeles Region* (1994), and in accordance with the conditions specified in Attachment B, will comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act.

The Applicant shall be liable civilly for any violations of this certification in accordance with the California Water Code. This certification does not eliminate the Applicant's responsibility to comply with any other applicable laws, requirements and/or permits.

Should you have questions concerning this certification action, please contact Valerie Carrillo, Lead, Section 401 Program, at (213) 576-6759.

[Original Signed By]

September 30, 2003

Dennis A. Dickerson
Executive Officer

Date

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>



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ATTACHMENT A

Project Information File No. 03-136

1. Applicant: City of Los Angeles
City of Los Angeles
250 E. First Street, Suite 700
Los Angeles, CA 90012

Phone: (213) 847-5893 Fax: (213) 847-5633
2. Applicant's Agent: Kevin Smith
PBS & J
3838 Camino del Rio North, Suite 250
San Diego, CA 92108

Phone: (619) 624-2710 x 214 Fax: (619) 624-2718
3. Project Name: Winnetka Avenue Bridge Restoration
4. Project Location: Reseda, Los Angeles County

Longitude: 118.5699°
Latitude: 34.1908°
5. Type of Project: Bridge improvement
6. Project Description: *Purpose:*
Winnetka Avenue is a major arterial that accommodates traffic traveling from the 101 freeway over the Los Angeles River to the community of Reseda. Winnetka Avenue roadway narrows significantly at the approach to the Winnetka Avenue Bridge. The bridge's deck width is less than acceptable for the Average Daily Trips (ADT) accommodated and number of lanes. Caltrans Bridge Inspection Report rates the deck geometry as 3 out of a possible 10 meaning that it is intolerable and needful of corrective action. The bridge's low deck ratings are due to inadequate shoulders for traffic demand. In addition to inadequate deck width, key safety features of the bridge are also substandard such as the barrier railing and approach transition barrier.

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Using the Federal Highway Administration guidelines and the Caltrans Bridge Inspection Report, Winnetka Avenue Bridge was objectively rated and classified as Functionally Obsolete. The bridge is on the Eligible Bridge List (EBL) of the Local Federal Highway Bridge Replacement and Rehabilitation (HBRR) program.

Description:

The City of Los Angeles proposes to improve the Winnetka Avenue/Los Angeles River Bridge to improve the safety of pedestrian and motorists. The proposed project would widen the bridge deck by 38 feet (11.6 meters), 19 feet (5.8 meters) on each side to match the existing approach of Winnetka Avenue. Construction would involve improvements to both the substructure and the superstructure to support the widened deck. The proposed project would also provide improvements to other elements bridge such as railings, approach guardrails, transition guardrails, and signage.

The existing bridge is a double span, concrete structure (prestressed precast girder bridge), approximately 172 feet (52.3 meters) in length, 62 feet (18.9 meters) in width and accommodates two-way traffic within four undivided 12.5-foot (3.8 meters) travel lanes (with no shoulders).

The proposed bridge improvement would not change the existing alignment nor would it increase the number of through traffic lanes or stimulate an increase in traffic volumes. In addition, the bridge abutments and pier (the reinforced concrete structures providing support for the bridge deck) would be widened by 20-feet on each side. Once completed, the new bridge abutments would lie completely outside of the Los Angeles River channel.

Construction would require the temporary removal of selected channel wall and channel floor sections. An approximately 20-foot section of channel on each side of the bridge (east and west of the bridge deck) and the area around the pier would be removed to accommodate construction of the new abutments and pier extension. After the new abutment and pier structures have been constructed, the channel walls and channel floor would be restored to their original dimensions.

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| 7. Federal Agency/Permit: | U.S. Army Corps of Engineers
NWP No. 25 (Permit No. 2003-01621-KW) |
| 8. Other Required Regulatory Approvals: | California Department of Fish and Game
Streambed Alteration Agreement |
| 9. California Environmental Quality Act (CEQA) Compliance: | The proposed project is Categorically Exempt from CEQA pursuant to the CEQA Guidelines, Section 15302 (Replacement or Reconstruction). |
| 10. Receiving Water: | Los Angeles River, (Hydrologic Unit No. 405.21) |
| 11. Designated Beneficial Uses: | MUN, IND, GWR, REC-1, REC-2, WARM, WILD, WET |
| 12. Impacted Waters of the United States: | Non-wetland waters (concrete-lined channel): 0.03 temporary acres |
| 13. Dredge Volume: | None |
| 14. Related Projects Implemented/to be Implemented by the Applicant: | The Applicant has not identified any related projects carried out in the last 5 years or planned for implementation in the next 5 years. |
| 15. Avoidance/Minimization Activities: | <p>The Applicant has proposed to implement several Best Management Practices, including, but not limited to, the following:</p> <ul style="list-style-type: none">• Appropriate erosion control techniques including silt fences, hay bales and sand bags will be utilized;• These required erosion control measures will be incorporated into the project design and contract specifications; |

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- Construction operation will occur in dry seasons or when there is little or no flow in the channel;
- Any flow within the channel during the construction will be diverted away to attain a dry work environment; and
- Construction equipment will be properly maintained to prevent pollutants from entering the channel.

16. Proposed
Compensatory
Mitigation:

The Applicant has not proposed any compensatory mitigation to offset impacts associated with this project. In order to prevent impacts to water quality, the City has proposed several BMPs prior-to, during, and after construction. The Regional Board will not require mitigation since impacts are only temporary in nature and the project is located within a concrete-lined channel, which is devoid of any vegetation.

ATTACHMENT B

Conditions of Certification File No. 03-136

STANDARD CONDITIONS

Pursuant to §3860 of Title 23 of the California Code of Regulations (23 CCR), the following three standard conditions shall apply to this project:

1. This certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to §13330 of the California Water Code and Article 6 (commencing with 23 CCR §3867).
2. This certification action is not intended and shall not be construed to apply to any activity involving a hydroelectric facility and requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent certification application was filed pursuant to 23 CCR Subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.
3. Certification is conditioned upon total payment of any fee required pursuant to 23 CCR Chapter 28 and owed by the Applicant.

ADDITIONAL CONDITIONS

Pursuant to 23 CCR §3859(a), the Applicant shall comply with the following additional conditions:

1. The Applicant shall submit to this Regional Board copies of any other final permits and agreements required for this project, including, but not limited to, the U.S. Army Corps of Engineers' Section 404 Permit and the California Department of Fish and Game's Streambed Alteration Agreement. **These documents shall be submitted prior to any discharge to waters of the state.**
2. The Applicant and all contractors employed by the Applicant shall have copies of this certification, the approved maintenance plan, and all other regulatory approvals for this project on site at all times so they are familiar with all conditions set forth.
3. Fueling, lubrication, maintenance, operation, and storage of vehicles and equipment shall not result in a discharge or a threatened discharge to waters of the state. At no time shall the Applicant use any vehicle or equipment which leaks any substance that may impact water quality. Staging and storage areas for vehicles and equipment shall be located outside of waters of the state.

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4. No construction material, spoils, debris, or any other substances associated with this project that may adversely impact water quality standards, shall be located in a manner which may result in a discharge or a threatened discharge to waters of the state.
5. The Applicant shall implement all necessary control measures to prevent the degradation of water quality from the proposed project in order to maintain compliance with the Basin Plan. The discharge shall meet all effluent limitations and toxic and effluent standards established to comply with the applicable water quality standards and other appropriate requirements, including the provisions of Sections 301, 302, 303, 306, and 307 of the Clean Water Act. This Certification does not authorize the discharge by the applicant for any other activity than specifically described in the 404 Permit.
6. The discharge shall not: a) degrade surface water communities and populations including vertebrate, invertebrate, and plant species; b) promote the breeding of mosquitoes, gnats, black flies, midges, or other pests; c) alter the color, create visual contrast with the natural appearance, nor cause aesthetically undesirable discoloration of the receiving waters; d) cause formation of sludge deposits; or e) adversely affect any designated beneficial uses.
7. The Applicant shall allow the Regional Board and its authorized representative entry to the premises, including all mitigation sites, to inspect and undertake any activity to determine compliance with this Certification, or as otherwise authorized by the California Water Code.
8. The Applicant shall not conduct any maintenance activities within waters of the state during a rainfall event, or at any period when site conditions would lead to excessive erosion. If any maintenance activities are to be held within five (5) days of a predicted rainfall event, the Applicant shall stage materials necessary to prevent water degradation on site, and shall ensure that all stabilization procedures are completed prior to the rainfall event.
9. No activities shall involve wet excavations (i.e., no excavations shall occur below the seasonal high water table). A minimum **5-foot** buffer zone shall be maintained above the existing groundwater level. If construction or groundwater dewatering is proposed or anticipated, the Applicant shall file a **Report of Waste Discharge** to this Regional Board and obtain any necessary NPDES permits/Waste Discharge Requirements prior to discharging waste. Sufficient time should be allowed to obtain any such permits (generally 180 days). If groundwater is encountered without the benefit of appropriate permits, the Applicant shall cease all activities in the areas where groundwater is present, file a Report of Waste Discharge to this Regional Board, and obtain any necessary permits prior to discharging waste.

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10. All surface waters, including ponded waters, shall be diverted away from areas undergoing grading, construction, excavation, vegetation removal, and/or any other activity which may result in a discharge to the receiving water. If surface water diversions are anticipated, the Applicant shall develop and submit a **Surface Water Diversion Plan** to this Regional Board. The plan shall include the proposed method and duration of diversion activities, erosion and sediment controls, and a map or drawing indicating the locations of diversion and discharge points. The plan shall be submitted prior to any surface water diversions. If surface flows are present, then upstream and downstream monitoring for pH, temperature, dissolved oxygen, turbidity, and total suspended solids shall be implemented. These constituents shall be monitored on a **daily** basis during the first week of diversion activities, and then on a **weekly** basis, thereafter, until the in-stream work is complete. Results of the analyses shall be submitted to this Regional Board by the **15th** day of each subsequent sampling month. A map or drawing indicating the locations of sampling points shall be included with each submittal. Diversion activities shall not result in the degradation of beneficial uses or exceedance of water quality objectives of the receiving waters. Any such violations may result in corrective and/or enforcement actions, including increased monitoring and sample collection.
11. The Applicant shall restore the proposed **0.03 acres** of TEMPORARY IMPACTS to waters of the United States and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the state. The Applicant shall implement appropriate Best Management Practices to control erosion and runoff from areas associated with this project.
12. The Applicant shall submit Geographical Positioning System (GPS) coordinates in decimal-degrees format outlining the boundary of the project area. Additionally, the Applicant shall submit a site description, including dimensions of project areas, and pre and post- project photographs.
13. All applications, reports, or information submitted to the Regional Board shall be signed:
 - (a) For corporations, by a principal executive officer at least of the level of vice president or his duly authorized representative, if such representative is responsible for the overall operation of the facility from which discharge originates;
 - (b) For a partnership, by a general partner;
 - (c) For a sole proprietorship, by the proprietor;
 - (d) For a municipal, state, or other public facility, by either a principal executive officer, ranking elected official, or other duly authorized employee.

Conditions of Certification
File No. 03-136

- "I declare under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who managed they system or those directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

_____(Signature)
_____(Title)''

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19. The Applicant or their agents shall report any noncompliance, which may endanger health or the environment. Any such information shall be provided verbally to the Executive Officer within 24 hours from the time the Applicant becomes aware of the circumstances. A written submission shall also be provided within five days of the time the Applicant becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected; the anticipated time it is expected to continue and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Executive Officer, or an authorized representative, may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
20. *Enforcement:*
 - (a) In the event of any violation or threatened violation of the conditions of this certification, the violation or threatened violation shall be subject to any remedies, penalties, process or sanctions as provided for under state law. For purposes of section 401(d) of the Clean Water Act, the applicability of any state law authorizing remedies, penalties, process or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this certification.
 - (b) In response to a suspected violation of any condition of this certification, the State Water Resources Control Board (SWRCB) may require the holder of any permit or license subject to this certification to furnish, under penalty of perjury, any technical or monitoring reports the SWRCB deems appropriate, provided that the burden, including costs, of the reports shall be a reasonable relationship to the need for the reports and the benefits to be obtained from the reports.
 - (c) In response to any violation of the conditions of this certification, the SWRCB may add to or modify the conditions of this certification as appropriate to ensure compliance.
21. This certification shall expire **five (5) years** from date of this Certification. The Applicant shall submit a complete application prior to termination of this certification if renewal is requested.